

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
ROBERT MACK, (1) a/k/a "Tweet,"	:	VIOLATIONS:
KENNETH RILEY, (2) a/k/a "Kenny,"	:	21 U.S.C. § 846 (conspiracy to distribute 280
JAMES WILSON, (3) a/k/a "JT,"	:	grams or more of cocaine base ("crack") – 1
CLAYTON ROBERTS, (4) a/k/a "Twin,"	:	count)
MARK SAMUEL, (5) a/k/a "Water,"	:	18 U.S.C. § 924(o)(conspiracy to use, carry and
XAVIER TOWEL, (6) a/k/a "Zay,"	:	discharge a firearm during and in relation to a
SIR ROBERT KEEN, (7) a/k/a "Brock"	:	drug trafficking crime – 1 count)
	:	18 U.S.C. § 924(c)(1) (using, carrying and
	:	discharge of a firearm during and in relation
	:	to a drug trafficking crime – 1 count)
	:	18 U.S.C. § 924(c)(1)(possession of a firearm in
	:	furtherance of a drug trafficking crime – 1
	:	count)
	:	18 U.S.C. § 922(g)(1) (possession of a firearm
	:	by a convicted felon – 2 counts)
	:	21 U.S.C. § 841(a)(1)(distribution of cocaine
	:	base ("crack") – 4 counts)
	:	21 U.S.C. § 841(a)(1)(distribution of cocaine –
	:	1 count)
	:	21 U.S.C. § 860(a)(drug distribution or
	:	maintaining a house for drug distribution in a
	:	protected zone – 5 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about 2010, to on or about May 7, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendants

ROBERT MACK,

EXHIBIT 1

a/k/a "Tweet,"
KENNETH RILEY,
a/k/a "Kenny,"
JAMES WILSON,
a/k/a "JT,"
CLAYTON ROBERTS,
a/k/a "Twin,"
a/k/a "Water"
MARK SAMUEL,
XAVIER TOWEL,
a/k/a "Zay," and
SIR ROBERT KEEN,
a/k/a "Brock,"

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute controlled substances, that is, 280 grams or more of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

2. Defendants KENNETH RILEY, JAMES WILSON, CLAYTON ROBERTS, MARK SAMUEL, XAVIER TOWEL, SIR ROBERT KEEN, and Person #1, charged elsewhere and known to the grand jury, were members of a drug trafficking group (DTG) operating within the Mill Creek neighborhood of West Philadelphia. From in or about 2010, to on or about May 7, 2015, the DTG distributed in excess of 280 grams of crack cocaine.
3. Defendant ROBERT MACK, and others known and unknown to the grand jury, sold quantities of cocaine and cocaine base, intended for resale, to Person #1, within the Eastern District of Pennsylvania.
4. Person #1 converted the sums of cocaine, received from defendant

ROBERT MACK, into cocaine base and provided that cocaine base to other members of the DTG, including defendants KENNETH RILEY, JAMES WILSON, CLAYTON ROBERTS, MARK SAMUEL, XAVIER TOWEL, and SIR ROBERT KEEN, and others known and unknown to the grand jury, for resale.

5. Members of the DTG, including defendants KENNETH RILEY, JAMES WILSON, CLAYTON ROBERTS, MARK SAMUEL, XAVIER TOWEL, and SIR ROBERT KEEN, and others known and unknown to the grand jury, distributed crack cocaine to customers of the DTG both inside and outside of real property located in, among other places, an area approximately spanning from North Paxon Street on the eastern border to 52nd Street on the western border and from Wyalusing Avenue on the northern border to Westminster Avenue on the southern border, as well in and around a public playground, known as "the Grounds," located at 52nd Street and Westminster Avenue, Philadelphia.

6. Members of the DTG used various residences as "stash houses" to store, process, and package cocaine and crack cocaine for distribution, including but not limited to 510 North Paxon Street, Philadelphia, Pennsylvania

7. To further their objective of protecting their narcotics trafficking activities, members of the DTG routinely carried and used firearms and had firearms available in hidden locations.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its object, the defendants and others known and unknown to the grand jury committed the following overt acts, among others, in Philadelphia, in the Eastern District of Pennsylvania:

1. On or about August 13, 2010, defendant JAMES WILSON possessed with intent to distribute cocaine base in the area of 5100 Westminster Avenue, Philadelphia.
2. On or about August 24, 2010, defendant JAMES WILSON possessed with intent to distribute cocaine base in the area of 500 North 52nd Street, Philadelphia.
3. On or about November 30, 2010, defendant XAVIER TOWEL possessed with intent to distribute cocaine base in the area of 500 North Paxon Street, Philadelphia.
4. On or about January 11, 2011, defendant KENNETH RILEY possessed with intent to distribute cocaine base in the area of 500 North 52nd Street, Philadelphia.
5. On or about December 14, 2011, defendant SIR ROBERT KEEN, in the area of the playground located at the intersection of 52nd Street and Westminster Avenue, possessed with intent to distribute cocaine base.
6. On or about November 22, 2013, Person #1, Person #2, both charged elsewhere and known to the grand jury, defendants KENNETH RILEY and JAMES WILSON, and others known and unknown to the grand jury caused a firearm to be discharged and shot Bryant Calloway, charged elsewhere.
7. On or about February 7, 2014, defendant XAVIER TOWEL and Person #1, possessed with intent to distribute cocaine base and possessed three firearms inside of 510 North Paxon Street, Philadelphia.
8. On or about August 27, 2014, defendant CLAYTON ROBERTS, in the area of the playground located at the intersection of 52nd Street and Westminster Avenue, sold crack cocaine to CS#1, who was acting at the direction of law enforcement.

9. On or about September 17, 2014, defendant CLAYTON ROBERTS, in the area of the playground located at the intersection of 52nd Street and Westminster Avenue, sold crack cocaine to CS#1, who was acting at the direction of law enforcement.

10. On or about January 6, 2015, defendant SIR ROBERT KEEN, in the area of the playground located at the intersection of 52nd Street and Westminster Avenue, possessed with intent to distribute cocaine base.

11. On or about February 11, 2015, defendant MARK SAMUEL, in the area of 529 North Creighton Street, sold crack cocaine to CS#1, who was acting at the direction of law enforcement.

12. On or about February 26, 2015, defendant MARK SAMUEL, in the area of 529 North Creighton Street, possessed with intent to distribute cocaine base.

13. On or about April 8, 2015, defendant MARK SAMUEL, in the area of the playground located at the intersection of 52nd Street and Westminster Avenue, sold crack cocaine to CS#1, who was acting at the direction of law enforcement.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

From on or about August 5, 2013, to on or about November 22, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**KENNETH RILEY,
a/k/a "Kenny," and
JAMES WILSON,
a/k/a "JT,"**

conspired with Person #1 and Person #2, each charged elsewhere and known to the grand jury, and others known and unknown to the grand jury to knowingly use, carry, and discharge a firearm, during and in relation to a drug trafficking crime, for which they may be prosecuted in a Court of the United States, that is, conspiracy to distribute cocaine base ("crack"), in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1).

In violation of Title 18, United States Code, Sections 924(o).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**KENNETH RILEY,
a/k/a "Kenny," and
JAMES WILSON,
a/k/a "JT,"**

knowingly used, carried, discharged, and aided and abetted, the use, carrying and discharge of a firearm, that is, a .40 caliber semiautomatic firearm, during and in relation to a drug trafficking crime, for which they may be prosecuted in a Court of the United States, that is, conspiracy to distribute cocaine base ("crack"), in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 22, 2013, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**JAMES WILSON,
a/k/a "JT,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, ammunition, that is, eight rounds of .40 caliber ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLAYTON ROBERTS
a/k/a "Twin,"
a/k/a "Water,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLAYTON ROBERTS

a/k/a "Twin,"

a/k/a "Water,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the public playground located at 52nd Street and Wyalusing Avenue, Philadelphia, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 17, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLAYTON ROBERTS
a/k/a "Twin,"
a/k/a "Water,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 17, 2014, in Philadelphia, in the Eastern District of Pennsylvania, defendant

CLAYTON ROBERTS

a/k/a "Twin,"

a/k/a "Water,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the public playground located at 52nd Street and Wyalusing Avenue, Philadelphia, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 11, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MARK SAMUEL,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 11, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MARK SAMUEL,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the public playground located at 52nd Street and Wyalusing Avenue, Philadelphia, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 8, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MARK SAMUEL,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 8, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

MARK SAMUEL,

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the public playground located at 52nd Street and Wyalusing Avenue, Philadelphia, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 9, 2015, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

ROBERT MACK
a/k/a "Tweet,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 9, 2015, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

ROBERT MACK
a/k/a "Tweet,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the public playground located at 52nd Street and Wyalusing Avenue, Philadelphia, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 9, 2015, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**ROBERT MACK,
a/k/a "Tweet,"**

knowingly possessed a semi-automatic firearm, in furtherance of a drug trafficking crime, for which he may be prosecuted in a Court of the United States, that is, distribution of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1), as charged in Count Thirteen of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 10, 2015, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ROBERT MACK,
a/k/a "Tweet,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting interstate commerce, a firearm, that is, a Beretta, 9mm, 92FS semiautomatic firearm, bearing serial number BER141251, loaded with 15 rounds of 9mm ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 846, set forth in this indictment, defendants

**ROBERT MACK,
a/k/a "Tweet,"
KENNETH RILEY,
a/k/a "Kenny,"
JAMES WILSON,
a/k/a "JT,"
CLAYTON ROBERTS,
a/k/a "Twin,"
a/k/a "Water"
MARK SAMUEL,
XAVIER TOWEL,
a/k/a "Zay," and
SIR ROBERT KEEN,
a/k/a "Brock,"**

shall forfeit to the United States of America:

a. Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense, including the following:

(1) a Beretta, 9mm, 92FS semiautomatic firearm, bearing serial number BER141251, loaded with 15 rounds of 9mm ammunition.

b. Any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense, including the following:

(1) \$1,000,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(g)(1), 924(c)(1), and 924(j)(1) set forth in this indictment, defendants

**ROBERT MACK,
a/k/a "Tweet,"
KENNETH RILEY,
a/k/a "Kenny," and
JAMES WILSON,
a/k/a "JT,"**

shall forfeit to the United States of America the firearms and ammunition involved in the commission of such offenses, including, but not limited to:

- a. a Beretta, 9mm, 92FS semiautomatic firearm, bearing serial number BER141251, loaded with 15 rounds of 9mm ammunition;
- b. a HOMM RG10 .22 caliber semiautomatic firearm, bearing serial number 821349, loaded with 5 rounds of .22 caliber ammunition;
- c. a H&R .32 caliber, 732 semiautomatic firearm, bearing serial number AE4542, loaded with 6 rounds of .32 caliber ammunition;
- d. a Beretta, .25 caliber semiautomatic firearm, bearing serial number daa006257, loaded with 7 rounds of ammunition; and
- e. a .40 caliber semiautomatic firearm.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

LOUIS D. LAPPEN
ACTING UNITED STATES ATTORNEY